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OCT 1 3 2004

DATE: October 15, 2004

PTO IDENTIFIER: Application Number

10/711,398-Conf. #5397

6177424214

**Patent Number** 

Inventor: Alexander P. RIGOPULOS

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: LAHIVE & COCKFIELD, LLP

John D. Lanza

PHONE: (617) 927-7400

Attorney Dkt. #: HXT-007

PAGES (Including Cover Sheet): \_\_\_10\_

CONTENTS: Fee Transmittal (1 page: in duplicate);

Amendment Transmittal (1 page: in duplicate); and

Amendment (6 pages).

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PTC/SB/17 (10-04v2)
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U.S. Patent and Trademark Office, U.S. PEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless a displaye a valid OMB control number Complete If Known FEE TRANSMITTAL 10/711,398-Conf. #5397 Application Number September 16, 2004 Filing Date for FY 2005 Alexander P. RIGOPULOS First Named Inventor Not Yet Assigned Examiner Name NA Applicant claims small energy status See 37 CFR 1 27 Art Unit Attorney Docket No. HXT-007 TOTAL AMOUNT OF PAYMENT FEE CALCULATION (continued) METHOD OF PAYMENT (check all that apply) 3. ADDITIONAL FEES Cneck X Deposit Account Sman Emity Large Entity Doppes Fee 12-0080 Fee (\$) Fee Description (\$) Fee Paid NulTDO 1051 130 2051 65 Surcharge - law filing too or oath **Рерозп** Lahive & Cockheld, LLP Surcharge - late provisional hung tee or cover 25 1052 50 2052 The Otrector is authorized to: (check all that apply) X Credit any overpayments 1059 130 Non-English specification 1053 130 X Charge 199(a) indicated below 1812 2,520 For trang a request for ex pane resistant attention 812 2,520 Charge any addational tec(t) or any underpayment of fee(s) Requesting publication of SIR prior to Charge ree(s) indicated pelow, except for the fitting fee to the apove-dentified deposit account. 820° 1804 1804 Examiner action Requesting publication of SIR after Exeminer action 1805 1.840\* 1805 1.840 Extension for reply within first month 1251 110 2251 55 FEE CALCULATION Extension for reply within second month 1252 430 2252 1. BASIC FILING FEE Extension for reply within third month 1253 980 2253 490 Large Entity Small Entity Fee Pald 765 Extension for reply within fourth month Fee Description 1254 1,530 2254 1,040 Econsion for reply within him month 2,080 2255 1255 2001 395 UNITY filing too 1001 2401 170 Notice of Appeal Design filing tau 1401 340 175 2002 1002 350 2403 170 Filing a priet in support of an appeal 1402 340 2003 275 Plant hung tee 1003 550 150 Request for oral nearing 2403 1403 300 335 Reissue hing tree 2004 1004 790 1,510 Person to institute a public use proceeding 1451 1,510 1451 2005 80 Provisional filing tee 1005 160 55 Person to revive - unavoidable 1452 110 2452 SUBTOTAL (1) (\$) 0.00 2453 685 Peaton to revive - unimermental 1,370 1501 1,370 2501 685 Union cause too (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE 1502 490 2502 245 Decorate 1884-0 100 Fee Paid DBIOW Clam: 2503 330 Plant (\$846 166 108.00 1503 660 6 18.00 32 -26 Total Claims 130 1460 130 Pensons to the Commissioner іл**а**ерепаетт Стантв 1460 0,00 -3 2 Processing tee under 37 CFR 1 17(q) 50 1807 1807 180 Supmission of Information Described Stim 1806 1806 180 Small Entity Large Emmy Recording each patent assignment per property (times number of properties) 8021 8021 40 Fee Description Code (\$) Filing a supmission after final rejection Claims in excess of 20 395 2202 1809 790 2809 1202 18 (37 CFR 1.129(a)) E fo second claims in excess of 3 For each additional invention to be examined (37CFR 1 129(b)) 1201 88 2201 44 1810 790 2810 350 Multiple dependent claim, if not paid 1203 300 2203 Request for Continued Elemenation (RCE) 2801 1801 790 " Reissue independent Claims 88 2204 1204 Request for expedited evarunation of a design application over onginal parent 1802 900 1802 900 18 2205 Reissue claims in excess of 20 1206 messa isangna rave dan Other tee (specify) 0 00 SUBTOTAL (3) (5) \*Reduced by Basic Filing Fee Paid SUBTOTAL (2) (5) or number previously paid, if greater, For Ressues, see upore SUBMITTED BY Registration No. (617) 227-7400 40.060 Name (Pont/Type) Jann D Lanza (Attorney/Agent) October 13, 2004 Daru Sionature I hereby centry that the charespondence is being tacsimile transmitted to the Patien and Trademark Office, facsimile no. (703) 872-9306 at MS Amendment. Commissioner for Patients, 7.0. Box 1451. Alexandria, 14. 2233-1450, on the date shown below (John D. Lanze) Signature? Dated: October 13, 2004

Oct-13-04 07:43



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Dated: October 13, 2004 Signature		4	7				<u> </u>	

AMENDMENT TRANSMITTAL LETTER						HXT-007	
		Filing D		Examin	er	Art Unit	
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		Filing D		Examin		Art Unit
Application No. 10/711,398-Conf. #5397		September		Not Yet As	signed	N/A
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Docket No.: HXT-007

(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Alexander P. Rigopulos

Dated October 13, 2004

Application No.: 10/711,398

Art Unit: N/A

Filed: September 16, 2004

Examiner: Not Yet Assigned

For: CREATING AND SELLING A MUSIC-BASED

VIDEO GAME

## FIRST PRELIMINARY AMENDMENT

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

### INTRODUCTORY COMMENTS

Prior to examination on the ments, please amend the above-identified U.S. patent application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.